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Filing date: **01/17/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210985
Party	Defendant Grayson Beauty Advances LLC
Correspondence Address	LOUIS C PAUL LOUIS C PAUL & ASSOCIATES PLLC 150 EAST 58TH STREET, 34TH FLOOR NEW YORK, NY 10155 UNITED STATES trademarks@cosmeticslaw.com
Submission	Answer
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Signature	/LCP/
Date	01/17/2014
Attachments	91210985_Answer.pdf(83454 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Dermatology Rx, LLC)	
)	
<i>Opposer/Plaintiff</i>)	
)	
v.)	Proceeding No. 91210985
)	
Grayson Beauty Advances, LLC)	
)	
<i>Defendant/Applicant</i>)	

Defendant's Answer

By Order dated December 18, 2018, the Board granted a motion filed by Grayson Beauty Advances, LLC ("Defendant"), with the consent of Dermatology Rx LLC ("Plaintiff"), to suspend proceedings pending settlement discussions between the parties. Proceedings were suspended through January 17, 2014. This Answer is timely filed on January 17, 2014.

Defendant, through undersigned counsel, by way of its Answer to the Notice of Opposition (the "Notice") in this matter hereby states as follows:

1. As for the allegations contained in Paragraph 1 of the Notice, Defendant admits only that on June 29, 2012, it filed the application assigned U.S. Serial No. 85/665,399 and that application contained the identification of goods as stated in Paragraph 1 of the Notice.
2. Defendant does not have knowledge or information regarding Plaintiff's marketing or other business activities sufficient to form a belief as to the allegations contained in Paragraph 2 of the Notice and therefore denies the allegations, demanding strict proof thereof.
3. Paragraph 3 of the Notice sets forth conclusions of law to which no response is required. To the extent a response is required, Respondent denies the allegations contained in Paragraph 3 of the Notice.
4. As for the allegations contained in Paragraph 4 of the Notice, Defendant admits that a Suspension Notice was issued by the US Patent and Trademark Office on October 25, 2012, which provided, in pertinent part, "The effective filing date of the pending application identified below [Serial No. 85/665,399] precedes the filing date of applicant's application."
5. Defendant does not have knowledge or information regarding Plaintiff's marketing or other business activities sufficient to form a belief as to the allegations contained

- contained in Paragraph 2 of the Notice and therefore denies the allegations, demanding strict proof thereof. Further, Paragraph 5 of the Notice sets forth conclusions of law to which no response is required.
6. Defendant does not have knowledge or information regarding Plaintiff's marketing or other business activities sufficient to form a belief as to the allegations contained contained in Paragraph 6 of the Notice and therefore denies the allegations, demanding strict proof thereof.
 7. Paragraph 7 of the Notice sets forth conclusions of law to which no response is required. To the extent a response is required, Respondent denies the allegations contained in Paragraph 7 of the Notice.
 8. As for the allegations contained in Paragraph 8 of the Notice, Defendant admits that Grayson Beauty Advances, LLC is a limited liability company formed and existing under the laws of the State of California. On information and belief, Dermatology Rx, LLC is a limited liability company formed and existing under the laws of the State of Florida. The remainder of this Paragraph 8 sets forth conclusions of law to which no response is required.
 9. Paragraph 9 of the Notice sets forth conclusions of law to which no response is required. To the extent a response is required, Respondent denies the allegations contained in Paragraph 7 of the Notice.
 10. To the extent the evidence developed during discovery supports any of the following Defendant reserves the right to rely upon the defenses of fraud or any other matter constituting an avoidance or affirmative defense.

WHEREFORE, the foregoing considered, Defendant respectfully requests that the Opposition be dismissed with prejudice.

Dated: January 17, 2014

Respectfully submitted,

Louis C. Paul & Associates, PLLC
Attorneys for Defendant

By: _____/LCP/

Louis C. Paul, Esq.

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CERTIFICATE OF SERVICE

This is to certify that I am on this date serving a copy of the within and foregoing upon the Plaintiff by depositing a true and correct copy of same in the United States Mail in an envelope with sufficient first class postage affixed thereon to ensure delivery, addressed as follows:

Dated: January 17, 2014

By: /LCP/

Louis C. Paul, Esq.